

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of KE'WAN MALIK EASLEY,
Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

TRACI LATRECE EASLEY,

Respondent-Appellant,

and

MELDANALDO MURCHINSON,

Respondent.

UNPUBLISHED

March 11, 2008

No. 278425

Wayne Circuit Court

Family Division

LC No. 05-442126-NA

Before: O'Connell, P.J., and Borrello and Gleicher, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right the order of the trial court terminating her parental rights to her minor child pursuant to MCL 712A.19b(3)(c)(i), (g), and (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

The trial court did not clearly err in finding that the statutory grounds for termination had been established by clear and convincing evidence. MCR 3.977(J); *In re Fried*, 266 Mich App 535, 540-541; 702 NW2d 192 (2005). The record establishes that the child was removed from respondent-appellant's care after her boyfriend whipped the child with a belt for stealing bubblegum from a store. Respondent-appellant pleaded no contest to the whipping, and the boyfriend admitted that he had whipped the child in the past. At the time of termination, there was conflicting testimony about whether respondent-appellant had terminated her relationship with the boyfriend, and she had failed to attend the domestic violence counseling and parenting classes ordered by the trial court. She had also failed to maintain employment or demonstrate any legal source of income or suitable housing. Respondent-appellant failed to address her own serious mental health issues that came to light while the case was pending before the trial court. Although the agency offered respondent-appellant services and assistance through a treatment

plan, respondent-appellant instead chose to move to Indiana, even after being advised that it would be almost impossible to complete the treatment plan from another state. While the child remained in foster care, respondent had repeated bouts with homelessness and at one point sought to release her rights to the child. Respondent-appellant visited with the child only sporadically at first and then totally stopped visiting the child in the months leading to termination.

Based on the foregoing clear and convincing evidence and the clearly attenuated relationship between the child and his mother, the record also supports the trial court's finding that termination was not contrary to the best interests of the child. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 354, 356-357; 612 NW2d 407 (2000).

Affirmed.

/s/ Peter D. O'Connell
/s/ Stephen L. Borrello
/s/ Elizabeth L. Gleicher